

## MEMORANDUM

Agenda Item No. 11(A) (10)

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**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

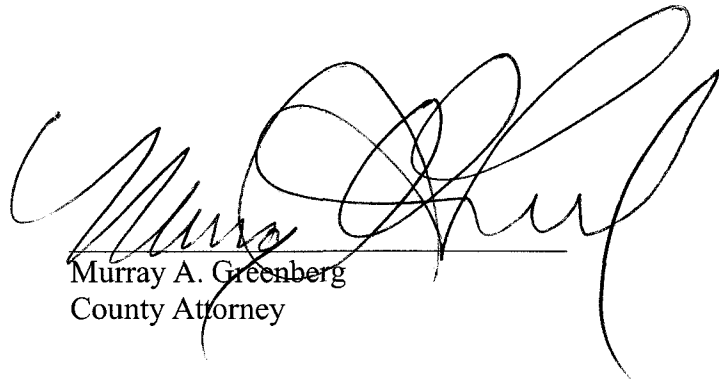
**DATE:** April 25, 2006

**FROM:** Murray A. Greenberg  
County Attorney

**SUBJECT:** Resolution urging the  
Florida Legislature to require  
helmets on motorized scooters  
and all-terrain vehicles

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The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Dorrin D. Rolle and Commissioner Katy Sorenson.



Murray A. Greenberg  
County Attorney

MAG/jls



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** April 25, 2006

**FROM:** Murray A. Greenberg  
County Attorney

**SUBJECT:** Agenda Item No. 11(A)(10)

Please note any items checked.

\_\_\_\_\_ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised

\_\_\_\_\_ 6 weeks required between first reading and public hearing

\_\_\_\_\_ 4 weeks notification to municipal officials required prior to public hearing

\_\_\_\_\_ Decreases revenues or increases expenditures without balancing budget

\_\_\_\_\_ Budget required

\_\_\_\_\_ Statement of fiscal impact required

\_\_\_\_\_ Bid waiver requiring County Manager's written recommendation

\_\_\_\_\_ Ordinance creating a new board requires detailed County Manager's report for public hearing

\_\_\_\_\_ Housekeeping item (no policy decision required)

\_\_\_\_\_ No committee review

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Approved \_\_\_\_\_ Mayor

Veto \_\_\_\_\_

Override \_\_\_\_\_

Agenda Item No. 11(A)(10)

4-25-06

RESOLUTION NO. \_\_\_\_\_

RESOLUTION URGING THE FLORIDA LEGISLATURE TO  
REQUIRE HELMETS TO BE USED ON MOTORIZED  
SCOOTERS AND ALL-TERRAIN VEHICLES

**WHEREAS**, Florida law currently requires a bicycle rider or passenger who is under the age of 16 to wear a helmet, but does not have a similar requirement for riders or passengers of motorized scooters or all-terrain vehicles to wear helmets; and

**WHEREAS**, the Center for Disease Control (CDC) estimates that 85 percent of head injuries can be reduced in severity or prevented altogether if helmets are worn; and

**WHEREAS**, Miami-Dade County took a leadership role on the use of helmets by children riding scooters when this Board in 2000 passed Ordinance No. 00-150 sponsored by Commissioner Dorrin D. Rolle that required children under 16 to wear a helmet when riding motorized scooters in Miami-Dade County; and

**WHEREAS**, the Florida Legislature passed an omnibus transportation bill in 2001 that, among other things, required the use of helmets by children under the age of 16 on motorized scooters, but the bill was vetoed by the governor; and

**WHEREAS**, though bills have been filed since 2001, the Florida Legislature has not passed another bill requiring helmets on motorized scooters or all-terrain vehicles; and

**WHEREAS**, a bill has been filed for the 2006 legislative session, SB 1186 by Senator Nan Rich, that, among other things, would define motorized scooters as bicycles thereby requiring the use of helmets by riders and passengers under the age of 16; and

**WHEREAS**, a second bill has been filed for the 2006 legislative session, SB 1672 by Senator Rudy Garcia, that would regulate the use of all-terrain vehicles and in particular prohibit the operation of an all-terrain vehicle without wearing an approved safety helmet and eye protection,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board:

Section 1. Urges the Florida Legislature to enact legislation that will require the use of helmets on motorized scooters and all-terrain vehicles.

Section 2. Supports SB 1186 filed by Senator Nan Rich and any similar legislation filed that would define motorized scooters as bicycles thereby requiring the use of helmets by motorized scooter riders and passengers under the age of 16.

Section 3. Supports SB 1672 filed by Senator Rudy Garcia and any similar legislation filed that would regulate all-terrain vehicles and require the operators of all-terrain vehicles to wear safety helmets and eye protection.

Section 4. Directs the Clerk of the Board to transmit a certified copy of this resolution to the Chair and members of the Miami-Dade County State Legislative Delegation.

Section 5. This Board directs the County's state lobbyists to advocate for the passage of the legislation set forth in Sections 1, 2 and 3 above, and directs the Office of Intergovernmental Affairs to include these issues in the 2006 state legislative package.

The foregoing was sponsored by Commissioner Dorrin D. Rolle and Commissioner Katy Sorenson and offered by Commissioner \_\_\_\_\_ who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	
Dennis C. Moss, Vice-Chairman	
Bruno A. Barreiro	Jose "Pepe" Diaz
Audrey M. Edmonson	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 25<sup>th</sup> day of April, 2006. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

JMM

Jess M. McCarty

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